

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 ARTHUR D. TAGGART, State Bar No. 83047  
Supervising Deputy Attorney General  
4 1300 I Street, Suite 125  
P.O. Box 944255  
5 Sacramento, CA 94244-2550  
Telephone: (916) 327-6819  
6 Facsimile: (916) 324-5567

7 Attorneys for Complainant

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues Against:

Case No. 2007-215

13 **TRACEY AGNEW**  
2025 W. 57<sup>th</sup> Avenue  
14 Vancouver, BC V6P1V3

**DEFAULT DECISION**  
**AND ORDER**

15 Applicant/Respondent.

16  
17 **FINDINGS OF FACT**

18 1. On or about February 20, 2007, Complainant Ruth Ann Terry, M.P.H.,  
19 R.N., in her official capacity as the Executive Officer of the Board of Registered Nursing,  
20 Department of Consumer Affairs, filed Statement of Issues No. 2007-215 against Tracey Agnew  
21 ("Respondent") before the Board of Registered Nursing ("Board").

22 2. In or about January 2006, the Board received an Application for Licensure  
23 Endorsement from Respondent. On or about January 6, 2006, Respondent certified under penalty  
24 of perjury to the truthfulness of all statements, answers, and representations in the application.  
25 The Board denied the application on or about May 30, 2006.

26 ///

27 ///

28 ///

1                   3.       On or about February 27, 2007, Mary Anne Snyder, an employee of the  
2 Department of Justice, served by Certified and First Class Mail a copy of the Statement of Issues  
3 No. 2007-215, Statement to Respondent, Notice of Defense, Request for Discovery, and  
4 Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record  
5 with the Board, which was and is 2025 W. 57<sup>th</sup> Avenue, Vancouver, BC V6P1V3. A copy of the  
6 Statement of Issues, the related documents, and Declaration of Service are attached as **Exhibit A**,  
7 and are incorporated herein by reference.

8                   4.       Service of the Statement of Issues was effective as a matter of law under  
9 the provisions of Government Code section 11505(c).

10                  5.       On an unknown date between August 23, 2007, and August 31, 2007,  
11 Respondent requested to withdraw her appeal of the Board's denial of her application for a  
12 registered nurse license. The Board authorized the resolution of this case by withdrawing the  
13 appeal and request for an administrative hearing.

14                  6.       On or about August 31, 2007, document "Respondent/Applicant's  
15 Withdrawal of Appeal and Request for an Administrative Hearing and Notice Thereof"  
16 ("Withdrawal") was sent to Respondent's address of record. A copy of the Withdrawal is  
17 attached as Exhibit B.

18                  7.       On or about September 16, 2007, Respondent signed and returned the  
19 Withdrawal.

20                  8.       Government Code section 11506 states, in pertinent part:

21                       "(c) The respondent shall be entitled to a hearing on the merits if the respondent  
22 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the  
23 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of  
24 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing."

25                  9.       Respondent chose to withdraw her request for an administrative hearing  
26 and therefore waived her right to a hearing on the merits of Statement of Issues No. 2007-215.

27 ///

28 ///

10. California Government Code section 11520 states, in pertinent part:

"(a) If the respondent either fails to file a notice of defense or to appear at this hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent."

11. Pursuant to its authority under Government Code section 11520, the Board finds Respondent is in default and will proceed to issue its final decision and order in the proceeding by default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in Exhibit A, finds that the allegations in Statement of Issues No. 2007-215 are true.

## DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent's application for licensure as a registered nurse is subject to denial.

2. A copy of the Statement of Issues and the related documents and Declaration of Service are attached.

3. The agency has jurisdiction to adjudicate this case by default.

4. The Board of Registered Nursing is authorized to deny the application for licensure as a registered nurse, based upon the following violations alleged in the Statement of Issues:

a. Business and Professions Code sections 2761(a)(4) (Out-of-State Discipline).

///

///

///

///

///

///

///

///

**ORDER**

**IT IS SO ORDERED** that the Application for Licensure by Endorsement is denied.

Pursuant to Government Code section 11520(c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on February 11, 2008.

It is so ORDERED January 11, 2008

*LaTranene W Tate*

FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

**Attachments:**

Exhibit A: Statement of Issues No.2007-215, Related Documents, and Declaration of Service  
Exhibit B: Respondent/Applicant's Withdrawal of Appeal and Request for an Administrative Hearing and Notice Thereof

SA2006102311  
Default (kdg) 10/15/07

**Exhibit A**  
**Statement of Issues No. 2007-215,**  
**Related Documents and Declaration of Service**

✓  
F  
EDMUND G. BROWN JR., Attorney General  
of the State of California

ARTHUR D. TAGGART

Supervising Deputy Attorney General

JANA L. TUTON, State Bar No. 78206

Deputy Attorney General

California Department of Justice

1300 I Street, Suite 125

P.O. Box 944255

Sacramento, CA 94244-2550

Telephone: (916) 324-5342

Facsimile: (916) 327-8643

Attorneys for Complainant

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

Case No. 2007-215

**TRACEY AGNEW**

2025 W. 57<sup>th</sup> Avenue

Vancouver, BC V6P1V3

**STATEMENT OF ISSUES**

Respondent.

Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

**PARTIES**

1. Complainant brings this Statement of Issues solely in her official capacity as the Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

2. In or about January 2006, the Board received an Application for Licensure Endorsement from Tracey Agnew ("Respondent"). On or about January 6, 2006, Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and representations in the application. The Board denied the application on or about May 30, 2006.

///

///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

4. On or about July 13, 2006, Respondent requested a hearing to appeal the denial of her application.

5. Code section 2761 states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action."

**(Out of State Discipline)**

///  
///  
///  
///

b. On or about June 14, 2002, the Registered Nurses' Association of British Columbia entered into a Consensual Complaint Resolution Agreement ("Agreement") with Respondent, wherein Respondent's Nursing Registration No. 910562, was disciplined based on unprofessional conduct, as more particularly set forth in the Agreement attached hereto as Exhibit B.

## **PRAYER**

**WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Denying the application of Tracey Agnew for a Registered Nurse License;
- and,
2. Taking such other and further action as deemed necessary and proper.

DATED: 2/20/07

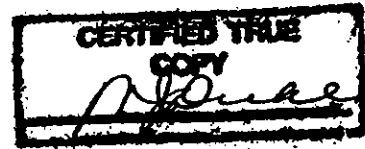
Ruth Ann Terry  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

SA2006102311  
SOI (kdg) 1/30/07

## EXHIBIT A

# COLLEGE OF REGISTERED NURSES OF BRITISH COLUMBIA

## AGREEMENT



BETWEEN:

Tracey J. Agnew - B.C. Registration No. 910562 (the Registrant)

AND

College of Registered Nurses of British Columbia (CRNBC)

Upon approval by a panel of the Inquiry Committee, this Agreement constitutes a Consent Order pursuant to Section 37 of the Health Professions Act (the Act) and CRNBC Bylaws.

### BACKGROUND

The Registrant graduated with a baccalaureate degree in nursing from an Ontario program in 2001. Shortly after graduation, she moved to this province and obtained registration as a registered nurse in British Columbia. The Registrant obtained employment at a large pediatric hospital where she is still employed.

In December 2001, RNABC received a complaint concerning the Registrant's professional conduct in which she had been untruthful and had fraudulently obtained benefit from her employer and from other nurses on her unit. The Registrant attributed her conduct to her diagnosis of Bipolar Affective Disorder. She entered into an Agreement with RNABC on June 14, 2002 in which she agreed to make Undertakings equivalent to conditions on her registration. The Agreement was concluded by the Chair of the Professional Conduct Committee on June 22, 2004.

In July 2005, RNABC received a second complaint concerning the Registrant's professional conduct. The complainant reported that the Registrant had again been untruthful with her supervisors and colleagues about her health. She allegedly told a number of individuals that she had terminal cancer for which she was receiving chemotherapy and radiation. These stories proved to be untrue. The complainant also alleged that the Registrant had not maintained her psychological or emotional fitness to practice. She had been absent from work for the preceding four months.

TJ  
Initials

The Registrant, who was accompanied by the legal assistance plan administrator of her union, met with the CRNBC representative in October 2005. She said that she had taken time off work following a knee injury in March 2005 and experienced a relapse of her mental illness soon after. She said that she does not understand the reason why she lied to her colleagues. The Registrant reported that she had agreed to participate in an independent psychiatric assessment as requested by her employer and she provided a copy of the psychiatrist's report to CRNBC.

The Registrant was assessed by Dr. Elisabeth Zoffmann, a specialist in forensic psychiatry, in July 2005. In her report, Dr. Zoffmann confirmed the diagnosis of Bipolar Affective Disorder which in her opinion has been complicated by the Registrant's non-compliance with treatment. She reported that the Registrant had left the care of the mental health team and stopped taking her medication as soon as she concluded her Agreement with RNABC in 2004. Her condition subsequently deteriorated. It was Dr. Zoffmann's opinion that the Registrant has very poor insight into her illness. At the time of the assessment, the Registrant had re-initiated medical treatment, and Dr. Zoffmann thought she was fit to return to work for an assessment period on a graduated basis.

At the meeting, the Registrant reported that she is being treated by her general practitioner, Dr. R. Menzies, whom she sees regularly. Dr. Menzies wrote to CRNBC and confirmed that he had read Dr. Zoffmann's report, and that he had prescribed the recommended medication which the Registrant was taking. He also reported that he had referred her for individual counselling with Trudy Barton who is a registered clinical counsellor. He recommended that the counselling sessions be held bi-monthly regarding interpersonal issues and stressors. He plans to continue to see the Registrant regularly on a monthly basis.

The Registrant is willing to enter into this Agreement to resolve the concerns about her professional conduct and ability to practice nursing without risk to the public.

#### TERMS AND UNDERTAKINGS

The undertakings in this Agreement are equivalent to conditions on registration, and will remain in effect for the equivalent of three years of full-time nursing practice following the approval of this Agreement.

The Registrant undertakes to:

1. comply with all treatment regimes recommended by her treating physician, Dr. Robert Menzies, and take medical leave from work whenever recommended by Dr. Menzies;
2. consult her physician, Dr. Menzies regularly, no less than once monthly for the first year of this Agreement and thereafter at a frequency determined by Dr. Menzies, for monitoring of her mental health, compliance with her treatment regime, and fitness to work;

Td.  
Initials

3. inform Dr. Menzies of the undertakings in this Agreement, and give her consent to Dr. Menzies to report to CRNBC every three months, on her compliance with her treatment regime, whether her mental condition has remained stable, and whether she is fit to work;
4. attend counselling sessions with Trudy Barton or another professional counsellor who is approved by CRNBC and give her consent to the counsellor to report to CRNBC every three months on her attendance at these counselling sessions and the Registrant's progress in relation to achieving defined treatment goals. The frequency of the sessions may be mutually determined by the counsellor and the Registrant, and the Registrant agrees that the counsellor will inform CRNBC should she fail to attend or otherwise end the sessions prematurely;
5. not practice nursing until Dr. Menzies confirms with CRNBC that she is fit to work;
6. not return to work until she has a Return-to-Work Plan with her employer, and provide CRNBC with a copy of this Return-to-Work Plan;
7. provide a copy of the Terms and Undertakings in this Agreement to her employer and give her consent to her employer to confirm with CRNBC that she has done so;
8. arrange for regular meetings with an Occupational Health Nurse at her place of employment, and give consent for her employer(s) to report to CRNBC every three months regarding the frequency of these meetings as well as any changes in her employment. The Registrant agrees that her employer may inform CRNBC immediately should concerns regarding her nursing practice arise and which raise concern regarding her fitness and safety to practice;
9. withdraw from nursing practice if her mental condition does not remain stable and interferes with her ability to practice or if her physician suggests that she do so and inform CRNBC should this occur. Return to work only with the approval of Dr. Menzies in consultation with a psychiatrist and CRNBC;
10. provide a performance appraisal from her immediate supervisor to CRNBC after six and twelve months of nursing practice following her return to work and prior to applying for the conclusion of these Undertakings;
11. keep CRNBC informed of any changes of address, telephone number and nursing employment.

If the physician listed above ceases to be available, a physician who is approved by CRNBC may be substituted.

  
Initials

## STATUS OF COMPLAINT

Upon the Consent Order taking effect, and for so long as the Registrant complies with the undertakings in this Agreement, CRNBC will take no further action with respect to the complaint and the conduct described in the "Background" of this Agreement.

## DISCLOSURE AND NOTIFICATION

Notification of the Consent Order shall be in accordance with CRNBC Bylaw 6.08. It will be noted on the register that there is a Consent Order with the Registrant; the content of the Consent Order will not be disclosed by CRNBC without the consent of the Registrant. Other nursing regulatory bodies will be notified of the Consent Order. The complainant will be informed that the Inquiry Committee has approved a Consent Order in which the Registrant has agreed to make undertakings that satisfy CRNBC that the public will be protected. A notice will not be published in *Nursing BC* because the Registrant does not have restrictions on her practice, is returning to her previous employer, and her employer will be made aware of the Terms and Undertakings of the Agreement.

## CONSEQUENCES OF BREACH OF UNDERTAKINGS

Pursuant to Section 36 of the Act, a breach by the Registrant of any undertakings in this Agreement is professional misconduct. The Registrant acknowledges and agrees that if CRNBC has reason to believe that she has breached an undertaking, the Inquiry Committee may direct the registrar to initiate a hearing under the Health Professions Act into her conduct. The conduct described in the "Background" to this Agreement is admissible in the hearing as proof that the Registrant has admitted to the conduct that initiated this Agreement.

## CONCLUSION OF UNDERTAKINGS

At the end of the term of this Agreement and upon compliance with all of the Undertakings, the Registrant may apply to the Inquiry Committee to have the undertakings concluded. CRNBC reserves the right, upon order of the Inquiry Committee, to extend the term of this Agreement upon evidence of unsatisfactory nursing practice as evidenced in performance appraisals or with evidence of a reported relapse. If the Inquiry Committee is satisfied that the Registrant has substantially complied with the Terms and Undertakings in this Agreement, CRNBC will consider the undertakings to be concluded and shall inform the Registrant that:

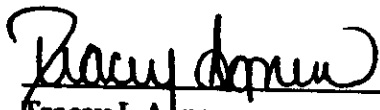
1. the Registrant's compliance with the Terms and Undertakings has been satisfactory;
2. the Registrant no longer has the equivalent of conditions on her registration;

  *td*    
Initials

3. CRNBC will take no further action with respect to the complaint received in July 2005.

The Registrant acknowledges that she has voluntarily entered into this Agreement and is aware of her rights and responsibilities.

This Agreement was signed by the Registrant on the 9<sup>th</sup> day of  
DECEMBER, 2005.



Tracey J. Agnew

B.C. Registration No. 910562



Witness

JENNIFER UPPAL

Print Name

This Agreement was signed on behalf of CRNBC on the 9<sup>th</sup> day of  
DECEMBER, 2005.



Mary Jane Duke, RN, on behalf of CRNBC

APPROVAL UNDER SECTION 37 OF THE ACT

This Agreement between Tracey J. Agnew and CRNBC is approved by a panel of the Inquiry Committee consisting of:

Barb Laurie RN, and

Dorothy Hamilton RN, and

Michael Redding Public Representative.

Deborah Armstrong

Chair

On behalf of the

Inquiry Committee Panel

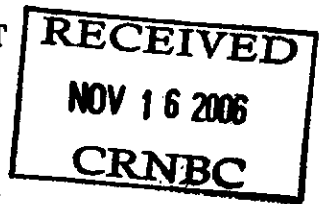
December 15/05

Date

## EXHIBIT B

**REGISTERED NURSES ASSOCIATION OF BRITISH COLUMBIA**

**CONSENSUAL COMPLAINT RESOLUTION AGREEMENT**



THIS AGREEMENT is made under *Rule 7.4 of the Nurses (Registered) Act Rules*.

**BETWEEN:**

Tracey Jane Agnew, B.C. Registration No. 910562 (the Member)

**AND**

Registered Nurses' Association of British Columbia (the Association)

**BACKGROUND**

The Member graduated with a baccalaureate degree in nursing from a program in another province in 2001. Shortly after graduation, she moved to British Columbia and obtained initial registration in the Association. She obtained employment as a full time staff nurse at a large children's hospital.

In December 2001, the Association received a complaint regarding the Member's professional conduct. In the letter of complaint, it was alleged that she had fraudulently obtained financial benefit from her employer and from other nurses when she had been untruthful in reporting that her mother had died. The letter also indicated that the Member had admitted to being untruthful and that her behavior was attributed to an acute medical condition.

The Member and her lawyer met with the Association's representative. The Member said that approximately two years earlier, while she was a nursing student, she had been diagnosed as having Bipolar Affective Disorder. Her illness was effectively treated with medication. Prior to moving to British Columbia, she had discontinued taking her medication as her mood was stable and the stresses associated with school work and graduating were no longer present. She found the transition to life in a new city and to her first position as a registered nurse to be difficult and stressful. She recalled feeling very unhappy by late autumn, when her mother came for a visit and she had been unable to tell her mother how difficult things were. One night at work, she told a coworker that she needed to take some time off because her mother had died and "things snowballed from there." She recalled that her thinking became confused between what could happen if her mother were to die and perhaps she did die. Her employer provided paid time off and her colleagues collected money to assist her. When the truth came to light at work, she acknowledged that she had been untruthful and agreed to return the money she had obtained.

  
Initials

The Member has been off work on leave and has re-established a treatment program. She has been re-stabilized on medication and is under the care of Dr. Eva Risling, a psychiatrist at the Kitsilano-Fairview Mental Health Team. She is also monitored by her family physician, Dr. Lorna Sent. The Association received a report from Dr. Risling indicating her condition has stabilized and she is fit to return to work. The Member plans to return to work for the same employer.

The Member is willing to enter into this Agreement to resolve the concerns about her professional conduct and ability to practice nursing without risk to the public.

## TERMS AND UNDERTAKINGS

The undertakings in this Agreement are the equivalent to conditions on membership, and will remain in effect for a minimum of two years and until the Member has worked the number of hours which are the equivalent of one year of full-time nursing employment (1700 hours).

The Member undertakes to:

1. comply with all treatment regimes recommended by her treating psychiatrist Dr. Eva Risling at the Kitsilano-Fairview Mental Health Team have all prescription and other medications she is taking approved by her psychiatrist, and take medical leave whenever recommended by her psychiatrist or her family physician, Dr. Sent;
2. consult her psychiatrist Dr. Eva Risling at the Kitsilano-Fairview Mental Health Center regularly, at least monthly for one year, and thereafter at a frequency determined by her psychiatrist, for monitoring of her mental health, compliance with her treatment regime, and fitness to work;
3. inform her psychiatrist of the undertakings in this Agreement, and give consent to her psychiatrist to report to the Association every three months for one year, and every six months thereafter, on her compliance with her treatment regime, whether her mental condition has remained stable, and whether she is fit to work;
4. not practice nursing until her psychiatrist at the Kitsilano-Fairview Mental Health Team confirms that she is fit to work and she has a Return-to-Work Plan with her employer, and provide the Association with a copy of the Return-to-Work Plan;
5. withdraw from nursing practice if her mental condition does not remain stable and interferes with her ability to practice and inform the Association should this occur;
6. inform her employer of the undertakings in this Agreement and ask her employer to confirm with the Association that she has done so;
7. meet regularly, at least once a month, with an occupational health nurse or her supervisor at her place of employment to discuss whether or not her mental condition is interfering with her ability to carry out her workplace responsibilities as a registered nurse, and her compliance with her Return-to-Work Plan;

  
Initials

8. give consent to her employer to report to the Association every three months, on the number of meetings and whether she has had to withdraw from nursing practice for health reasons;
9. keep the Association informed of any changes of address and nursing employment.

If any of the physicians listed above ceases to be available, a physician who is approved by the Association may be substituted.

### STATUS OF COMPLAINT

Upon this Agreement taking effect, and for so long as the Member complies with the undertakings in this Agreement, the Association will take no further action with respect to the complaint and the conduct described in the "Background" of this Agreement.

### DISCLOSURE AND NOTIFICATION

The complainant and other nursing regulatory bodies will be informed that the Member has an Agreement with the Association and has made undertakings that are equivalent to conditions on membership, which will remain in effect for a minimum of two years and until the Member has worked the number of hours which are the equivalent of one year of full-time nursing employment. Although the existence of this Agreement will be noted on the register, the content of this Agreement will not be disclosed by the Association without the consent of the Member. Notice of the Agreement will not be published in *Nursing BC* because there are no restrictions on the member's practice and because she will be returning to work for the same employer who will be made aware of the Undertakings in this Agreement.

### CONSEQUENCES OF BREACH OF UNDERTAKINGS

A breach by the Member of any undertakings in this Agreement is professional misconduct. The Member acknowledges and agrees that if the Association has reason to believe that she has breached an undertaking, the Chair of the Professional Conduct Committee may initiate an inquiry under the *Nurses (Registered) Act* into her conduct, and that the conduct described in the "Background" of this Agreement is admissible in that inquiry as proof that the Member has admitted to the conduct that initiated the Agreement.

### CONCLUSION OF UNDERTAKINGS

At the end of the term of this Agreement, and upon compliance with the undertakings, the Member may apply to the Chair of the Professional Conduct Committee to have the undertakings concluded and the conditions on her membership removed. If the Chair is satisfied that the Member has substantially complied with the terms and undertakings in this Agreement, the Member will be informed that:

T.A.  
Initials

1. the Member's compliance with the terms and undertakings has been satisfactory;
2. the Member no longer has conditions on her membership;
3. the Association will take no further action with respect to the complaint submitted in December 2001;
4. the notation on the register has been removed.

The Member acknowledges that she has voluntarily entered into this Agreement and is aware of her rights and responsibilities.

This Agreement was signed by the Member on the  
2002.

9<sup>th</sup> day of May .

Tracey Agnew  
Tracey Jane Agnew  
B.C. Registration No. 910562

Lani deHoff  
Witness

This Agreement was signed on behalf of the Association on the  
May , 2002.

17<sup>th</sup> day of

Mary Jane Duke  
Mary Jane Duke, RN, on behalf of the Association

TD  
Initials

**APPROVAL UNDER RULE 7.4 (3):**

The Agreement between Tracey Jane Agnew and the Association is approved by the Chair of the Professional Conduct Committee in consultation with the Advisory Panel consisting of

*Colleen Chapman*, RN, and *Roy Craven*,  
Public Representative, on the *14* day of *June*, 2002.

*Chris Gendron*  
The Chair

This is Exhibit "A" referred to in the  
affidavit of *Tracey Jane Agnew*  
Sworn before me at *Vancouver, BC*  
this *21<sup>st</sup>* day of *November*, A.D. 200*2*.  
*[Signature]*  
Brian J. Gregory  
Notary Public

